

1 A I'll work on it.

2 Q Very few things get past you, Pastor.

3 Do you recall, did a reporter interview you?

4 A A couple reporters were there.

5 Q Do you remember their names?

6 A Not really.

7 Q What was the reason they were interviewing you,
8 if you can remember?

9 A They were doing a story about whether I was a
10 cult leader, was I a religious spiritual guru, what was
11 Set Free actually doing.

12 Q And the word "figurehead," who used the word
13 "figurehead"?

14 A Myself.

15 Q And how did it come about that you used the
16 word "figurehead"?

17 A They were asking me about my financial
18 situation with TBN, how much I got paid for being on, you
19 know, the National Minority TV situation. In other words,
20 they wanted to know how did I do moneywise, because we had a
21 ranch, we had some homes, things like that.

22 And I told them, "I am a figurehead from Set
23 Free. I'm a pastor. I am on that board there." But it has
24 nothing to do with money. It was all in the context of how
25 much money do I get paid. 21

1 Q That was the sense in which you were talking
2 about a figurehead?

3 A Yes. Getting those yeses in there.

4 Q Did you talk about NMTV with the reporters?

5 A Not really.

6 Q Well, was there a discussion of NMTV?

7 A Yeah. They asked about, you know, my
8 association with TBN, and I shared a little bit about that.

9 Q Did they ask you about your association with
10 NMTV?

11 A I don't think that they really knew any details
12 about anything like that to ask, per se, NMTV or anything
13 like that. It was all general.

14 Q Well, did they ask about the relationship of
15 NMTV to TBN?

16 A In a real general way. But, like I said, they
17 didn't have any, you know, "Are you part of NMTV?" they
18 didn't have any detailed-type questions like that, very
19 general and vague.

20 Q Did they ask you whether you were a director or
21 an officer of NMTV?

22 A Yes. They asked me in the sense of, you know,
23 "Are you on the board?" or this type of thing.

24 Q Of NMTV?

25 A They kept asking it in the context of asking,

1 "Are you getting paid? Are you making money?" Because the
2 whole article and the association was that I had a lot of
3 money, and so they were putting this together with "I heard
4 you have classic cars," things like that.

5 Q Did they ask you if you were an officer of
6 NMTV?

7 A I don't know if they asked me if I was an
8 officer.

9 Q Did they ask you if you were a director of
10 NMTV?

11 A I am not sure if they asked me if I was a
12 director. It was all about money.

13 Q How long was the interview, Pastor?

14 A Oh, probably -- you mean that portion of the
15 interview?

16 Q No, the whole interview.

17 A I think they actually spent time with me
18 personally maybe half an hour. They talked to different
19 people at our ranch and things like that.

20 Q I was talking about the interview with you.

21 A About half an hour, probably, personally.

22 Q The word "figurehead" appears several times on
23 page 1 of your affidavit. You see how the word "figurehead"
24 is in quotes?

25 A Uh-huh.

1 Q What did you mean by the word "figurehead"?

2 A Head honcho. I'm the head honcho.

3 Q That's what you thought "figurehead" meant
4 there when you were using the word "figurehead"?

5 A That's what it does mean.

6 Q That was your understanding, head honcho?

7 A Yeah, the boss man. Where it says concerning
8 me being a figurehead, right?

9 Q Yes.

10 A Yeah, I'm the pope of the group there.

11 Q And that's what you understood the word
12 "figurehead" to mean when you used it in your interview?

13 A That's what it does mean to me. Like I said,
14 in my mind, I was thinking like the honcho, and pope is just
15 kind of like an extra.

16 Q I understand. You are being very clear.

17 A Kind of like street language a little.

18 Q I understand. You are a very articulate man.
19 You know how to use words. You are clear.

20 So when you were using the word "figurehead,"
21 you were using it to signify that you were the head man of
22 what?

23 A Set Free.

24 Q And that's the sense in which you were using
25 the word?

1 A Yeah, because, see, they're asking me questions
2 about money, about I'm a cult leader, and everything like
3 that, and my whole point is yeah, I am the figurehead. I
4 mean, I'm the guy that everybody -- the champ or the chump
5 in the situation.

6 Q The boss?

7 A Yeah.

8 Q Did they talk about whether you were the boss
9 of NMTV? Did that come up?

10 A Not really.

11 Q They weren't interested in that, that's what
12 you're saying to me, right?

13 A They wanted to know about my money. They were
14 more on me.

15 Q I got you. Now I want to bring you back to
16 even before 1991. And paragraph 2, number 2, of your
17 affidavit deals with that. Why don't you spend a minute, if
18 you need to, and read what you said, if you wish to.

19 A Paragraph number 2?

20 Q Yes. We've talked about paragraph number 1,
21 and now I wanted to ask you about numbered paragraph 2.

22 Let's go off the record.

23 (Recess taken.)

24 BY MR. COHEN:

25 Q I wanted to ask you about the preparation of

1 the affidavit. In connection with its preparation, you said
2 that you spoke with your secretary and she in turn spoke
3 with Jane Duff.

4 Do you remember how long, was it a couple of
5 days or a week, how long it took to get this document
6 prepared and signed by you?

7 A It seemed like it took a while. Seems like it
8 took within four weeks or something like that.

9 Q Four weeks. During that course of time did you
10 have the occasion to talk to Paul Crouch about anything?

11 A No.

12 Q He never spoke with you during that period of
13 time?

14 A No.

15 Q Now, we're talking about paragraph 2 here.

16 When you got the call in early August, the call from Jane
17 Duff, was that the first time you knew anything about NMTV?
18 Had you ever heard about it? Was its name familiar to you?

19 A I recollect that I briefly heard about it, but
20 that was the first time I had any real interest in the sense
21 of seeking out information about it.

22 Q Well, you had heard about it before, you say?

23 A Yeah.

24 Q And what did you know about it when she called
25 you?

1 A That Jim McClellan, who was one of the hosts on
2 the TV network, moved up to Oregon, and I knew that he had
3 something to do with an extension of the network, that type
4 of thing, and I didn't know anything more than that, because
5 of a friend who had worked down there for years at TBN was
6 relocated in Oregon.

7 Q That was Jim McClellan?

8 A Yes.

9 Q Jim McClellan was a friend of yours?

10 A Uh-huh.

11 Q So you knew Jim McClellan --

12 A From the TV program.

13 Q When he was working here --

14 A For TBN.

15 Q And then he moved up to Oregon?

16 A Uh-huh.

17 Q And you knew that?

18 A That he moved up there, yes.

19 Q What was your understanding of what he was
20 doing in Oregon?

21 A He was managing a TV station, and just the
22 vaguest thing, you know, it was another station, and that
23 was about it.

24 Q Did you know anything else about NMTV?

25 A No.

1 Q Did you know who was the licensee of the
2 Portland station?

3 A No.

4 Q Did you ever learn who the licensee was? Did
5 you ever come to learn who -- do you know what I mean by the
6 term "licensee"?

7 A No.

8 Q Who owned the Portland station? Did you ever
9 learn who owned it?

10 A Did I ever learn who owned it?

11 Q Yes.

12 A NMTV owned it.

13 Q When did you learn that?

14 A When I became part of the board, and they
15 informed me of these things.

16 Q So you got this call, according to your
17 affidavit, from Jane Duff in late July or early August?

18 A Yes, sir.

19 Q When you wrote this affidavit, were you relying
20 on your memory or someone else's memory in saying that it
21 was late July or early August?

22 A I was trying to look through our paperwork that
23 my secretary and I had and we were trying to jog our memory,
24 and we gave it the best shot that we had.

25 Q You notice, going on in this affidavit, it

1 states:

2 "In late July or early August of 1990
3 I received a call from Jane Duff in which she
4 related that NMTV, Inc., an organization that
5 was minority owned and which had some
6 religious television stations, needed another
7 director on the board."

8 Do you see that?

9 A Yes.

10 Q Did she tell you that the organization was
11 minority owned?

12 A She related it through my secretary, once
13 again. My secretary answers the phone.

14 Q This is back in July or early August of 1990?

15 A Right.

16 Q She told your secretary back then that the
17 organization was minority owned?

18 A My secretary informed me that they were
19 interested in having me become a part of the board of
20 directors, and they gave her an overview of what the board
21 consisted of and what they were trying to do and that it was
22 going to be minority controlled and that they'd like me to
23 be part of it.

24 Q Now, I'm not trying to confuse you. I'm trying
25 to understand what you say. I thought earlier you said that

1 you got a call from Jane Duff.

2 A My secretary got a call from Jane Duff.

3 Q Excuse me. It was your secretary that got the
4 call, not you?

5 A Every time I get communication, from now on,
6 you will understand, it's always my secretary. I don't
7 answer the phone.

8 Q Well, you didn't tell me that, so I didn't know
9 that.

10 A I'm sorry. My secretary always answers the
11 phone. I never answer the phone.

12 Q So when you --

13 MR. TOPEL: Let him finish.

14 THE WITNESS: And so just any time on it's always --
15 I'm sorry for not communicating it correctly, but my
16 secretary is always the one who relays the information to
17 me.

18 And in this case she told me what Jane Duff had
19 to share about the station, and this is my first real
20 learning about NMTV and that it was a minority controlled
21 station.

22 BY MR. COHEN:

23 Q Let me first ask you: Why did you say in your
24 affidavit you received the call from Jane Duff when it was
25 your secretary who received it?

1 A Because we work together as a team that it's
2 just, like I say, "we" is I. When my son does a rap dance,
3 I feel like I did the rap dance even though it was him, I
4 feel so close to him.

5 Q But the conversation was actually between Jane
6 Duff and your secretary?

7 A Yes, sir.

8 Q You never had a conversation with Jane Duff,
9 then?

10 A Right.

11 Q Your secretary told you about the conversation
12 she had with Jane Duff?

13 A Yes.

14 Q She told you that Jane Duff told her that the
15 organization was minority controlled?

16 A Yes.

17 Q And did your secretary tell you anything about
18 what Jane Duff had said concerning minority control?

19 A No. It was real general.

20 Q Did you have an understanding back in August of
21 1990 as to what the words "minority controlled" meant?

22 A Once I went to the first meeting, yes.

23 Q Okay. You did have an understanding when you
24 first went to the first meeting, and what was your
25 understanding?

1 A That the decisions to be made will be voted on
2 and it would be minorities who would be the controlling
3 partners of the board of directors or the organization, or
4 I'm not sure what words would be correct to use there, but
5 that it would be minorities who would be in charge.

6 Q So it would be minorities who would be making
7 the decisions?

8 A Yes, sir.

9 Q And who were the minorities on the board, to
10 your knowledge?

11 A Jane Duff and myself.

12 Q So it was your understanding, then, that you
13 and Jane Duff were going to be making the decisions about
14 that organization?

15 A Well, there would be three of us at the time,
16 but the two of us were minorities, and so --

17 Q The two being you and Jane Duff?

18 A Yes. The voting situation is 2 to 1.

19 Q Now, you notice your affidavit states, "an
20 organization that was minority owned." It doesn't use the
21 words "minority controlled."

22 A Uh-huh.

23 Q Can you explain that, why "minority owned" is
24 used there rather than "minority controlled"?

25 A Just kind of one in the same to me.

1 Q And when you say they are one in the same to
2 you, has anybody ever talked with you about that matter as
3 to whether ownership or control are one in the same?

4 A No.

5 Q You've never had any discussion about that?

6 A Not that I can recall. This is the first.

7 Q I didn't mean to cut you off. Is that anything
8 that you ever talked with Mr. Topel about?

9 A I don't think so. This is kind of my first
10 time of recollecting even thinking about that.

11 Q Did you ever speak with Joe Dunne about that?

12 A Not to my recollection.

13 Q Or Paul Crouch?

14 A No.

15 Q Or Jane Duff?

16 A No.

17 Q So this is the first time you've ever focused
18 on that, this very minute?

19 A That I can recall, yes.

20 Q The words "minority owned" that are set forth
21 in your affidavit, those are words that you got from your
22 secretary, and she in turn got them from Jane Duff; is that
23 the way it worked?

24 A Well, when we talked about putting this
25 together and then it was sent back, all information as far

1 as correct word usage would definitely go through my
2 secretary, yes.

3 Q Well, what I'm trying to get straight, Pastor,
4 is: As I understand what you're telling me, back in August
5 of 1990, July or early August, your secretary had a
6 conversation with Jane Duff?

7 A With Jane, right.

8 Q And that was a telephone conversation?

9 A Yes.

10 Q Then she told you about the conversation,
11 right?

12 A Yes, sir.

13 Q And it turns out that you've stated in your
14 affidavit that --

15 A I see, that she talked about minority owned?

16 Q That's right. What I'm trying to find out is:
17 Is that what your secretary told you Jane Duff said, or how
18 did the words "minority owned" --

19 A That's a good question right there.

20 Q Think about it for a minute.

21 A I can't remember.

22 Q Don't be so quick. Think about it before you
23 say you can't remember.

24 MR. TOPEL: I think you are arguing with the witness.

25 MR. COHEN: You don't represent the witness.

1 MR. TOPEL: I understand. I didn't make an
2 instruction. But I have an interest in having an orderly
3 proceeding.

4 BY MR. COHEN:

5 Q Pastor, I am not trying to argue with you at
6 all.

7 A The "owned" or "controlled," I look at it now,
8 and, like I say, when I talk, I talk pretty basic language,
9 and I can mean the same thing by just saying one word
10 "controlled" or "owned" means basically the same to me.

11 But, I guess, looking at it and really zeroing
12 in, it could mean a whole bunch of different things. But
13 when my secretary related to me, I don't remember if it was
14 "owned," "controlled," "processed by" or "overseeing" or
15 anything. They are all kind of one in the same in one lump
16 to me.

17 Q That's fine. That's your answer. And this is
18 information that you learned from your secretary after she
19 in turn talked to Jane Duff; is that right?

20 A Yes, sir.

21 Q Now, going on in your affidavit, you say you
22 knew both Mrs. Duff and Dr. Crouch. How did you know
23 Mrs. Duff? We are speaking as of July or early August of
24 1990.

25 A Just from the TV station. It's kind of a small

1 group in the sense that once you go down there and you are
2 on the program, or something like that, you get to meet the
3 different people and stuff like that.

4 Q That was the same way you knew Dr. Crouch?

5 A I knew him from the TV program, yes.

6 Q Same way. I want to ask you about paragraph 6
7 of your affidavit. You'll notice it states there that "Norm
8 Juggert, who was Trinity's lawyer and a corporate
9 officer..."

10 Do you see that?

11 MR. TOPEL: What page?

12 MR. COHEN: Paragraph 6, page 4.

13 THE WITNESS: Okay.

14 BY MR. COHEN:

15 Q Now, this is your affidavit we're talking
16 about. How did you know that Mr. Juggert was Trinity's
17 lawyer?

18 A Just associated, they talked about it on TV,
19 just commonly known.

20 Q It was commonly known to you?

21 A To everybody who watches TBN.

22 Q That he was their lawyer?

23 A Uh-huh.

24 Q And how did you know he was a corporate
25 officer? Look at your affidavit. Again, it says he was a

1 corporate officer.

2 A Well, he was always at every meeting we ever
3 had there like that.

4 Q At every NMTV meeting?

5 A Different meetings of every sort we had there
6 at TBN. I mean, I always looked at him as he was a lawyer
7 for everything. That's my view. I thought he was a lawyer
8 for everything.

9 Q Did you look upon him as NMTV's lawyer?

10 A I looked at him, yeah, like a lawyer who
11 basically had his nose in everything.

12 Q In the preparation of your affidavit, did
13 somebody else, either Joe Dunne or Jane Duff or someone
14 else, suggest to you or put this language in that
15 Mr. Juggert was Trinity's lawyer and a corporate officer, or
16 was that something you knew independently?

17 A No. This would be something my secretary
18 would -- if she had it in our files or she looked over the
19 minutes or things like that, she would see that and put that
20 in there. She's more detailed than I am.

21 Q Now, it states that "Norm Juggert, who was
22 Trinity's lawyer and a corporate officer, I believe
23 occasionally does legal work for Set Free on a voluntary
24 basis."

25 How did you know that?

1 A Because we were being asked about welfare
2 exemption forms for our homes, and we didn't know exactly
3 how to do them, so I had them call up Norm and ask him if
4 he'd tell us what the format is, where we get the forms at,
5 so he had one of his assistants help us in our first-time
6 preparation of the tax forms.

7 Q And he didn't charge you for that?

8 A No.

9 Q So that's what you meant by it was done on a
10 volunteer basis?

11 A Yes. He just did it one time for us, and we
12 did it ever since.

13 Q I want to ask you about page 4, going on to the
14 Set Free volunteer. Do you see that paragraph on the
15 bottom?

16 A Yes, sir.

17 Q It says, "Each month Set Free receives a
18 payment of \$5,000 from TBN."

19 A Uh-huh.

20 Q Is that still in effect?

21 A No. It's been out of effect for, gosh, I don't
22 know, maybe a year. It was only in effect for probably a
23 couple years or a year.

24 Q Well, it was in effect when you signed this
25 affidavit?

1 A Yeah. That's what I'm saying.

2 Q Then that relationship ceased?

3 A Yes. We just got so involved, that we couldn't
4 fulfill our obligations in a lot of areas. My ministry just
5 started growing, so we weren't able to do everything to help
6 out.

7 Q Does Set Free have a contractual relationship
8 with TBN today?

9 A No.

10 Q No relationship at all?

11 A The only kind of relationship we have
12 contractually right now is we have homes and we have like a
13 contract in the sense of no liability or responsibility to
14 each other that way, and as long as we perform and do the
15 things in accordance with all the laws and everything in our
16 homes, that everything will be fine, you know. So it's a
17 liability contractual agreement, is all that it really is.
18 We don't have anything performance-wise to each other.

19 Q I have some documents that might refresh your
20 recollection.

21 At one time there was a license agreement
22 between Set Free and TBN, which I have here, and it was
23 renewed --

24 A For our homes? I think that's for our homes,
25 isn't it?

1 Q At 511 North Anaheim Boulevard?

2 A Yes, that's for the homes.

3 Q Is that license agreement still in effect?

4 A Yes.

5 Q That still is in effect?

6 A Yes. But I think that just has to do with
7 liability.

8 Q Well, I think it has to do with more than that.
9 Maybe you want to look at it. The document will speak for
10 itself, but that's what it says. It says what it says, if
11 that document is in effect now.

12 A Okay. "Provide spiritual, provide homes,"
13 yeah, it's totally about liability and everything.

14 Q Is that the agreement that's in effect now?

15 A Uh-huh.

16 MR. TOPEL: Yes?

17 THE WITNESS: Yes, sir. I'm sorry.

18 BY MR. COHEN:

19 Q It is?

20 A Yes.

21 Q That's what I wanted to know.

22 A That is, like I said, the liability portion is
23 what I was looking at on that form.

24 Q You see this renewal, it's some day -- you
25 can't tell what day it is -- in July of 1987. Is this the

1 last renewal, or was there a more recent renewal?

2 A There should be a more recent renewal, if it's
3 a yearly renewal.

4 Q Is it a yearly renewal?

5 A If it is. I don't know.

6 Q Do you know of your own personal knowledge
7 whether there is a renewal in effect now?

8 A My own personal knowledge is that we totally
9 update everything all the time, so there must be a newer
10 one.

11 MR. COHEN: Would you be willing to provide that,
12 Mr. Topel, in connection with the representation of TBN? I
13 don't have it.

14 MR. TOPEL: TBN is a party to that? Sure.

15 THE WITNESS: Unless this is one where you sign it
16 once and for all.

17 MR. TOPEL: Absolutely.

18 MR. COHEN: You may have supplied it, but I don't
19 have it.

20 MR. TOPEL: We will, sir.

21 BY MR. COHEN:

22 Q And here is an agreement concerning another
23 piece of property, a license agreement. I didn't identify
24 it before. Let me go back.

25 Earlier I should have identified the license

1 agreement between TBN and Set Free Christian Fellowship
2 dated 9 August 1985, eight pages, document numbers 55284
3 through 55291. Attached to it is a renewal of license
4 agreement between Trinity and Set Free dated August 9, 1985,
5 55292 and 55293.

6 And now I want to show you a license agreement
7 between Trinity and Set Free dated August 9, 1988, and it is
8 two pages, and it's 55282 and 55283. Is that agreement in
9 effect, or is there a renewal of that in effect?

10 A Yes, this is still in effect.

11 Q A renewal of that?

12 A We've got to have a renewal of that, yes,
13 unless this is one of those things you sign and it's until
14 God comes back type of thing.

15 Q Could I get an update on that?

16 MR. TOPEL: We will get you all of those.

17 BY MR. COHEN:

18 Q Here is a document called "License Agreement,"
19 dated 26 September 1989 between TBN and Set Free concerning
20 Colleyville. That's in Texas?

21 A Yes, sir.

22 Q And that's pages 55271 through 55281. Is that
23 license agreement or a renewal of that in effect?

24 A Yes.

25 Q Thank you. And here is another one, a license

1 agreement between TBN and NMTV dated June 5, 1992,
2 consisting of nine pages, document 55282 through 55270.

3 Is that in effect?

4 A Yes.

5 Q So your testimony is that as of today Set Free
6 doesn't receive a payment any longer from TBN?

7 A That's correct.

8 Q And the only relationship is the relationship
9 set forth in those documents, those contracts that we've
10 identified for the record?

11 A Yes, sir.

12 Q Is that correct?

13 A Yes, sir.

14 Q Does Set Free still transport volunteer prayer
15 counselors to the TBN counseling center?

16 A Upon occasion.

17 Q How often each month?

18 A Oh, in the last month I have been out of town,
19 but before that we'd do it anywhere from two times to three
20 times a week.

21 Q And that's going on how?

22 A On occasion. Like I said, the last month I
23 have been out of town, so we haven't been doing it, but
24 before that we did it two times, sometimes three times a
25 week, and then probably six months or a year before that we

1 did it five times a week for several years.

2 Q Is that pursuant to a written agreement?

3 A No. We were doing it before we had any kind of
4 agreement or anything at all with TBN ever.

5 Q Does Set Free get any compensation for
6 providing those volunteer prayer counselors?

7 A Does Set Free get any compensation right now
8 for providing those prayer counselors, no.

9 Q Has it ever?

10 A Yes.

11 Q What compensation did it get?

12 A Help with gas.

13 Q Did it get any other compensation?

14 A No, sir.

15 Q Does it still get help with gas?

16 A No, sir.

17 Q Why not?

18 A We're just not able to do them upon any certain
19 time or anything like that or regular or consistently. We
20 help out every time we can.

21 Q Now, there used to be a Set Free internship
22 program, correct?

23 A Uh-huh. Excuse me. Yes, sir.

24 Q And I have a document to show you, an
25 interoffice memorandum dated February 27, 1991 to Paul

1 Crouch from Bob Fopma, document 53049.

2 Let me ask you first: Who is Bob Fopma?

3 A He is one of the workers at TBN. I think he is
4 like maybe a manager or some kind of boss down there.

5 Q And does Set Free still have an internship
6 program with TBN?

7 A No.

8 Q And when did it cease?

9 A They were still interning people of ours
10 probably as recent as a few months ago. It's just people
11 that were studying, and some of them got kind of bored, some
12 of them just didn't want to do it anymore, but even as a few
13 months ago some of them were still.

14 Q But no longer?

15 A No, there is not an intern going on right now.

16 Q The document I want to show you, which I've
17 identified, look it over. Does that accurately set forth
18 the Set Free program that existed until a few months ago?

19 A Okay. This is an old document right here.

20 Q There is a more recent one?

21 A I'm just saying -- are you trying to make
22 reference that what's going on until a few months ago was
23 just like this document says?

24 Q That's what I'm trying to find out.

25 A After this document was put together, the